

# **EXHIBIT A**

**Amy A. Pines**

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**From:** Lindsay Wilson Gowin [lgowin@sw.com]  
**Sent:** Wednesday, April 30, 2008 8:10 PM  
**To:** Amy A. Pines  
**Subject:** Addenda to Prior Summary

Dear Amy,

I'd like to add a couple items to my earlier summary.

- In addition to the items in Exhibit C, we agreed that your clients would also produce documents responsive to Request #2 by Wednesday, May 7.
- The date proposed for Mr. Minter's deposition turns out to be Memorial Day. I propose that we switch it to May 28 instead, tentatively.

Again, please let me know if you disagree with the above.

Thanks,  
Lindsay Wilson Gowin

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**From:** Lindsay Wilson Gowin  
**Sent:** Wednesday, April 30, 2008 12:03 PM  
**To:** 'apines@lplegal.com'  
**Subject:** Today's Meet and Confer

Dear Amy,

Thanks for meeting with me today. I'd like to confirm a few things from the meeting today; please let me know if you disagree with any of the commitments below:

- Your clients will produce the documents listed on Exhibit C by Wednesday, May 7. Then my clients' Dutch counsel will review them and let us know what else, if anything, she wants from HMET's document requests.
- I will get clarification from my clients' Dutch counsel on #15 and #17 on Exhibit C, and get back to you.
- Minter and Hillman are designated as Power Plate's 30(b)(6) witnesses.
- Minter's deposition is tentatively scheduled for May 27 and Hillman's for May 26, subject to schedules on our side. I will confirm those dates with everyone involved as soon as possible.
- You have provided us with a revised protective order, and we will look it over and respond as soon as possible.
- The D&O insurance policies you produced need not be treated as confidential, but the transaction documents are to be treated as confidential.

For your future productions, could you please provide them on a CD or DVD only? We'd like to pick them up at your office when they become available, rather than wait for them through the mail. There is no need to provide them in hard copy.

Thanks again for your courtesy this morning.

Sincerely,

6/27/2008

Lindsay Wilson Gowin

**Schopf & Weiss**

Lindsay Wilson Gowin  
Direct: 312.701.9306

**Schopf & Weiss LLP**

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**Amy A. Pines**

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**From:** Lindsay Wilson Gowin [lgowin@sw.com]  
**Sent:** Tuesday, May 20, 2008 9:32 AM  
**To:** Amy A. Pines  
**Subject:** Production and Deposition Dates

Dear Amy,

At this point, we would like to keep the deposition dates we presently have scheduled (Minter on Tuesday, Hillman on Wednesday), but we'd like to know what other dates are available in the event that we need to reschedule. Also, what types of documents can we still expect from you, and when?

Thanks,  
Lindsay

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**Amy A. Pines**


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**From:** Lindsay Wilson Gowin [lgowin@sw.com]  
**Sent:** Wednesday, May 21, 2008 6:36 PM  
**To:** Amy A. Pines  
**Subject:** Dates for deposition

Dear Amy,

Thanks for your call this afternoon. As I thought, Peter is unavailable on June 5 and 6. We can be available on June 2-4, 9-11 and 13. The dates need not be consecutive.

Thanks,  
Lindsay

  
Lindsay Wilson Gowin  
Direct: 312.701.9306

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**Amy A. Pines**

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**From:** Lindsay Wilson Gowin [lgowin@sw.com]  
**Sent:** Friday, May 23, 2008 1:14 PM  
**To:** Amy A. Pines  
**Subject:** Discovery Issues


Dear Amy,

Since document production is still ongoing, we are not in a position to take depositions on Tuesday and Wednesday. We accept your offer of Mr. Hillman on June 10, but Mr. Minter on June 4 does not work for us. Could he be produced on June 9-11 or June 13?

In response to your inquiry from yesterday, the protective order does not require us to provide a signed Exhibit A to you, and we decline to do so.

Have a good Memorial Day weekend,

Lindsay

  
Lindsay Wilson Gowin  
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**Amy A. Pines**

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**From:** Lindsay Wilson Gowin [lgowin@sw.com]  
**Sent:** Tuesday, May 27, 2008 9:24 AM  
**To:** Amy A. Pines  
**Subject:** RE: Discovery Issues

Dear Amy,

Do either June 16 or June 20 work for Minter?

Thanks,  
Lindsay

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**From:** Amy A. Pines [mailto:apines@lplegal.com]  
**Sent:** Friday, May 23, 2008 2:41 PM  
**To:** Lindsay Wilson Gowin  
**Subject:** RE: Discovery Issues

Lindsay,

As discussed previously, Minter is out of town the week of June 9th and is therefore unavailable to be deposed.

Have a nice weekend, as well,

Amy

**Amy A. Pines**  
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